

MINUTES OF THE MEETING OF THE HOUSE HIGHWAYS AND
TRANSPORTATION COMMITTEE, MARCH 10, 1983

The meeting was called to order by Chairman Abrams on Thursday, March 10, 1983 at 12:30pm, in Room 129, State Capitol. All members of the Committee were present with the exception of Representatives Koehnke and Shontz, who were absent.

HEARINGS

SENATE BILL 318. SEN. CARROLL GRAHAM, District 29, Big Horn County, read the title of the bill to committee members.

PROPOSERS

MR. JIM BECK, Montana Department of Highways, provided committee members with a background on motor vehicle registration and explained the International Registration Plan, which is a voluntary pact between 27 states and is constantly being updated. He said Montana needed to make minor changes in statutes to correlate with pact updates and told the Committee, language on page 2 of the bill would change the period of time from 16 to 18 months for proportional registration, and a proposed change on page 3, line 22, requires information for the Department showing proof of payment of the federal GVW tax. He advised, pages 3 and 4, related to computation of total fleet mileage and page 6, lines 6-11, pertain to addition and withdrawal of vehicles within a fleet, adding no credit is given when a transfer is made to a smaller vehicle.

OPPOSERS

There were no opposers of the bill.

QUESTIONS

REP. KEYSER asked if the Department were no longer interested in individual vehicles, referring to the portion of the bill wherein the description-identification requirement for each vehicle is stricken. Mr. Beck said each vehicle in a fleet is recorded and would be covered in Section 2 of the bill.

REP. UNDERDAL asked if federal GVW taxes would be collected by the State. Mr. Beck replied it would not be and the bill would only provide authority to the Department to check for payment of the tax, adding the Department is duty-bound to monitor this information.

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REP. STOBIE asked if the federal GVW tax would have to be paid prior to licensure. Mr. Beck replied details were still being worked out in the Surface Transportation Act.

SEN. GRAHAM closed and asked Rep. Solberg to carry the bill.

SENATE BILL 287. SEN. BOB BROWN, District 10, Flathead County, testified as sponsor of the bill, which would permit the Montana Historical Society to publish a roadside history of the State. Sen. Brown said 80% of visitors to the State take its history into consideration prior to their visits and told the Committee the last such publication was issued in 1939, by the Department of Agriculture, Labor and Industry. He said visitors and Montanans alike, would be educated, adding the bill would encourage tourism and is endorsed by the Montana Chamber of Commerce. Sen. Brown advised committee members House Bill 518 would provide a \$50,000 appropriation to be repaid after the publications were sold and the Department of Commerce would be charged with promotion.

PROPOSERS

MR. JOHN WILSON, Department of Commerce, Travel Promotion Bureau, told the Committee potential tourists have little knowledge of Montana or its history and the bill would provide a travel promotion tool. He said the publication would be advertised through the Montana Vacation Library and would provide detailed information to potential visitors (exhibit).

MR. BOB ARCHIBALD, Montana Historical Society, said the bill appears to address the situation with Montana's roadside history signs which are more explanatory.

MR. BILL LANG, Editor, Montana Magazine of Western History, told the Committee, Montana has some of the best historical road signs in the U.S., but there is a need for more information on adjacent areas along with that of accuracy in presenting Montana's history.

OPPOSERS

There were no opposers of the bill and Sen. Brown closed.

QUESTIONS

REP. UNDERDAL asked how the project would be funded if Senate Bill 518 did not pass. Mr. Archibald said it would be improbable to obtain an outright grant and impossible to obtain a bank loan. Rep. Underdal asked if a drive could be held to raise funds.

REP. HOWE asked for the status of House Bill 518. Rep. Hemstad replied it would be scheduled after budget hearings.

The hearing was closed and Rep. Howe was asked to carry the bill.

SENATE BILL 402. SEN. JOHN MOHAR, District 11, Lincoln, testified as sponsor of the bill, stating it simply correlates Montana bicycle laws with the Uniform Vehicle Code by redefining a bicycle as a legal vehicle as stipulated in the UVC since 1975. He said the bill makes minor changes with the exception of allowing a right turn by extension of the right hand, horizontally.

SEN. MOHAR closed and asked Rep. Brown to carry the bill.

PROPONENTS

MR. RON POGUE, Billings, told the Committee he represented various bicycling organizations within the State and provided letters from some of them (exhibits). He said the bill had been reviewed by the Department of Highways without objection and provided committee members with sections of the UVC pertaining to the bill. He advised the impacts are quite profound, adding bicyclists are subject to all vehicle rules, rights and duties which could lead to some legal conflicts and said it is often difficult to prosecute bicyclists, but the bill could cause them to become more responsible and make them liable for damages. Mr. Pogue explained page 4, line 4, provides two means of turning left; Section 4 allows intermittent hand signals; Section 5 allows alternating signals for left turns and said a European study presents a strong case for allowing the signal. He said pages 7 and 8 allow bicycles to be parked on sidewalks, if normal movement is not impeded; Section 7 changes statutes with regard to vehicles opening doors on the traffic side; Section 11 requires a cyclist to ride as far to the right as possible and provides directions for leaving the right side of the roadway for turns, in addition to unsafe conditions and determining when riding two abreast is permissible.

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He said Section 9 provides that a bicycle lose its vehicle status and take on a pedestrian status on sidewalks, adding he believes the bill will be advantageous to both cyclists and motorists.

MR. MARK CADWALLADER read from prepared testimony written by Sam Warren, Missoula County Deputy Attorney, describing problems arising from instances where damage occurs and a bicyclist is not liable, since it is not presently classified as a vehicle. The letter urged committee support of the bill (exhibit).

MRS. SUE LINDGREN, Helena, told the Committee implementation of the bill would contribute to bicycle safety in the State and further bicycle safety education.

MR. ALBERT GOKE, Department of Justice, Highways and Traffic Safety, said he believed the bill is well drafted and urged favorable committee consideration of the bill.

MR. GARFIELD MUNSON, Montana Highway Patrol, stated his support of the bill.

MR. CURT HAHN, Office of Public Instruction, stated his support of the legislation.

MR. JOHN WILLIAMS, Engineering Department, City of Missoula, told the Committee the City trained more than 1,000 children in bicycle safety in 1982, adding the proposed left-hand turn signal would be easier for children.

MS. JANE SIPLE, Missoula, advised the Committee she was writing a publication entitled "Bicyclist's Guide to Montana" and urged committee support of the bill.

OPPONENTS

There were no opponents of the bill.

QUESTIONS

REP. BROWN asked Mr. Pogue if the bill would affect insurance laws. Mr. Pogue replied it would not.

REP. LYBECK asked Mr. Pogue if bicyclists would be safer in two-way traffic should the bill pass. Mr. Pogue replied bicyclists would have legal protection they presently do not have.

REP. KEYSER told the Committee he thought in some instances, bicyclists wanted to be classified as a vehicle with the same rights as a vehicle, but not as a motor vehicle. He said current statutes provide single file bicycling except on pathways, adding, he believes bicyclists riding two abreast are impeding traffic at all times. He asked why bicycles were not given a motor vehicle status, including liability, with the exception of parking on sidewalks. Mr. Pogue replied a bicycle would automatically be liable if it were classed as a vehicle, but liability insurance would not be mandatory.

REP. BROWN told the Committee he signed the bill as it would make bicyclists more responsible. Mr. Cadwallader commented all persons over 15 years of age are required to ride in the street in the City of Missoula.

The hearing was closed on Senate Bill 402.

The meeting was adjourned at 1:52pm.


REP. HUBERT ABRAMS, CHAIRMAN

Joann T. Gibson, Secretary



VISITOR'S REGISTER

HOUSE

Highways

COMMITTEE

BILL

SB 402

DATE _____

3-10-83

SPONSOR

Mohar

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

Highways

COMMITTEE

BILL

SB 318

DATE 3-10-83

SPONSOR

Graham

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE Highways

COMMITTEE

BILL SB 287

DATE 3-10-83

SPONSOR Drown

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name MARK CAOWALLADER Committee On Highways
Address 1744 1/2 S. 12TH W MISSOULA Date 3/10/83
Representing CITY OF MISSOULA Support ✓
Bill No. SB 402 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Here on behalf of Sam Warren, Missoula
Deputy City Attorney
2. Please note: typographical error in the last paragraph.
The second sentence should read "This Bill would definitely
include bicycles
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Bill Summaries

House Highways and Transportation Committee

March 10, 1983

Referred - *yes*
SB 287 assigns the Montana Historical Society the duty of publishing a roadside history of Montana to enable people to become familiar with the history of Montana as seen from the state's main roadways.

Referred - *yes*
SB 318 amends the proportional vehicle registration law. The term "preceding year" is extended to include 12 months within the previous 18 months. The bill removes specific information which is to be included on registration applications in favor of information the department requires. The bill revises the method of determining fees and allows GVW fees to be transferred to a replacement vehicle.

Referred - *yes*
SB 402 revises the laws relating to the operation of bicycles. The bill provides operating and turning standards for bicycles. The bill also provides standards for bicycles operating on sidewalks.

Helen L. O'Connell

All sections of SB 402 except section 5 are based on the Uniform Vehicle Code:

<u>SB 402</u>	<u>Uniform Vehicle Code</u>
Section 1.	§ 1-184—Vehicle. — Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks. (REVISED, 1975.)
Section 2.	§ 1-105—Bicycle. — Every vehicle propelled solely by human power upon which any person may ride, having two tandem wheels, except such vehicles with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position, and except scooters and similar devices. (REVISED, 1975 & 1979.)
Section 3.	§ 11-1207—Left turns (a) A person riding a bicycle or a moped intending to turn left shall follow a course described in § 11-601 or in subsection (b). (b) A person riding a bicycle or a moped intending to turn left shall approach the turn as close as practicable to the right curb or edge of the roadway. After proceeding across the intersecting roadway, the turn shall be made as close as practicable to the curb or edge of the roadway on the far side of the intersection. After turning, the bicyclist or moped driver shall comply with any official traffic control device or police officer regulating traffic on the highway along which he intends to proceed.
Section 4.	§ 11-1208—Turn and stop signals (a) Except as provided in this section, a person riding a bicycle shall comply with § 11-604. (b) A signal of intention to turn right or left when required shall be given continuously during not less than the last 100 feet traveled by the bicycle before turning, and shall be given while the bicycle is stopped waiting to turn. A signal by hand and arm need not be given continuously if the hand is needed in the control or operation of the bicycle.
Section 6.	§ 11-1210—Bicycle parking (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by an official traffic control device. (b) A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.
Section 7.	§ 11-1105—Opening and closing vehicle doors No person shall open any door on a motor vehicle unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on a side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers. (REVISED, 1975.)
Section 8.	§ 11-504—Drivers to exercise due care Notwithstanding other provisions of this chapter or the provisions of any local ordinance, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human powered vehicle and shall give an audible signal when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person. (REVISED, 1971 & 1975.)

Section 9. § 11-1202—Traffic laws apply to persons on bicycles and other human powered vehicles

Every person propelling a vehicle by human power or riding a bicycle shall have all of the rights and all of the duties applicable to the driver of any other vehicle under chapters 10 and 11, except as to special regulations in this article and except as to those provisions which by their nature can have no application. (REVISED, 1975.)

Section 10. § 11-1204—Clinging to vehicles

(a) No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any (streetcar or) vehicle upon a roadway. (RELETTERED, 1975.)

(b) This section shall not prohibit attaching a bicycle trailer or bicycle semitrailer to a bicycle if that trailer or semitrailer has been designed for such attachment. (NEW SUBSECTION, 1975.)

Section 11. § 11-1205—Position on roadway

(a) Any person operating a bicycle or a moped upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

(1) When overtaking and passing another bicycle or vehicle proceeding in the same direction.

(2) When preparing for a left turn at an intersection or into a private road or driveway.

(3) When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right-hand curb or edge. For purposes of this section, a "substandard width lane" is a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.

(b) Any person operating a bicycle or a moped upon a one-way highway with two or more marked traffic lanes may ride as near the left-hand curb or edge of such roadway as practicable. (REVISED, 1979.)

§ 11-1205.1—Riding two abreast and use of bicycle paths

(a) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding two abreast shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane. (REVISED, 1975; FORMERLY § 11-1205(b).)

(b) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (FORMERLY § 11-1205(c).)

Section 12. § 11-509—Pedestrians' right of way on sidewalks

The driver of a vehicle crossing a sidewalk shall yield the right of way to any pedestrian and all other traffic on the sidewalk. (REVISED, 1971 & 1975.)

Section 13. § 11-1209—Bicycles and human powered vehicles on sidewalks

(a) A person propelling a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(b) A person shall not ride a bicycle upon and along a sidewalk, or across a roadway upon and along a crosswalk, where such use of bicycles is prohibited by official traffic-control devices.

(c) A person propelling a vehicle by human power upon and along a sidewalk, or across a roadway upon and along a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances. (NEW SECTION, 1975.)

3-10-83

PREPARED TESTIMONY OF RONALD POGUE IN SUPPORT OF SB 402.

Chairman Abrams and members of the committee:

It is my pleasure to appear before today in support of Senate Bill 402. I am here today representing myself as a bicyclist with 30 years experience and as a writer and researcher who has published several articles on bicycling safety, laws and riding technique. I am also here representing three organizations: the League of American Wheelmen, the national organization of bicyclists with over 20,000 individuals and 500 local clubs as members; the Billings Bicycle Club, with a little less than 100 individual and family members; and the Alternative Energy Resources Organization, with over 500 Montana businesses, families and individuals. These three organizations wish to go on record as supporters of SB 402.

I also took copies of the bill to the Montana Department of Highways for review by Director Gary Wicks and Legal Division Administrator James Beck. Mr. Wicks asked me to relay to you that the Department has reviewed SB 402 and has no opposition to its passage.

SB 402, with the exception of Section 5, is based entirely on the current version of the Uniform Vehicle Code. Enclosed is a chart which cites the specific articles of the UVC on which the respective sections of SB 402 are based. Montana's current bicycling laws are primarily based on much older versions of the UVC. As you know, the UVC is updated every 3-5 years by the National Committee on Uniform Traffic Laws and Ordinances, an association of over 100 representatives of federal, state and local governments, insurance companies, motor clubs, safety councils, manufacturers, dealers, trade associations, unions, national transportation associations, and others interested in achieving sound, uniform traffic laws and regulations. During the last couple decades, significant progress was made in bicycling research and safety as well bicycle usage as a mean of serious transportation. This progress resulted in changes to the bicycling portions of the Uniform Vehicle Code in 1971, 1975, and 1979. These changes are embodied in SB 402.

SB 402:

1) Redefines a "bicycle" as a "vehicle". The legal status of "vehicle" for bicycles is important to cyclists and motorists alike. It makes it legally explicit that bicyclists are required to obey all traffic laws and are citable for infractions of those laws. It makes it clear that cyclists are liable for damages they cause. It also establishes explicitly their rights to share the roadways and be afforded the protections of the law. (Sections 1 and 2.)

2) Allows cyclist to make left turns in the same manner that a car would or by riding all the way around the outside of the intersection as a pedestrian would. This provisions strong or weak cyclists, more experienced or less experienced cyclists, to each choose a manner of turning left that is compatible with their respective abilities and other traffic. (Section 3.)

3) Permits a cyclist to give intermittent (rather than continuous) turn signals when his or her hands are needed in the control and operation of the bicycle. (Section 4.)

4) Allows a bicycle to be parked on a sidewalk only if such parking does not impede the normal and reasonable flow of pedestrian and vehicle traffic. (Section 6.)

5) Authorizes an optional right turn signal for bicyclists--i.e., extending the right hand and arm horizontally. This signal is easier for cyclist to make and studies have shown that this signal is more clearly understood by motorists than the the conventional right turn hand-and-arm signal. (Section 5.)

6) Requires car doors to be carefully opened on all sides of the vehicle that are next to traffic of any kind--vehicle or pedestrian. (Section 7.)

7) Requires vehicle drivers, including cyclists, to exercise due care to avoid colliding with cyclists in addition to pedestrians. (Section 8.)

8) Reaffirms that bicyclists are subject to the duties of and are granted the rights of drivers of other vehicles. This provision is also extended to the MCA chapter on traffic accidents. (Section 9.)

9) Allows bicyclists to pull bonafide bicycle trailers. (Section 10.)

10) Maintains the requirement that cyclists ride as far to the right side of the roadway as practicable, but authorizes exceptions to this requirement for passing, turning left, riding as fast as the flow of traffic, and conditions along the right side that make it unsafe to continue riding there. (Section 11.)

11) Allows cyclists the option of riding on the extreme left side of one-way streets. (Section 11.)

12) Permits cyclists to ride two abreast only when it does not impede the normal and reasonable movement of traffic. If traffic situations, cyclists would usually still be required to ride single file. (Section 11.)

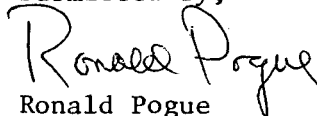
13) Requires the driver of any vehicle, including bicycles, to yield to all traffic on sidewalks that the driver is crossing. (Section 12.)

14) States that bicyclists riding on sidewalks lose their vehicle status and are bound by the rights and duties of pedestrian law. In addition, cyclists must yield to all pedestrians and must give an audible signal when passing pedestrians on a sidewalk. (Section 13.)

SB 402 is needed. It benefits motorists and cyclists by clearly spelling out the rules for both. It should improve the traffic behavior of cyclists, which in turn will increase the respect of motorists for cyclists. I strongly urge you to give SB 402 a "do pass" recommendation.

Thank you.

Submitted by,



Ronald Pogue
1025 North 22nd St.
Billings, MT 59101
(406)259-2357

Written Testimony of Sam Warren, Missoula Deputy City Attorney

I would like to take this opportunity to respectfully urge this Committee to recommend passage of Senate Bill 402. The primary thrust of this Bill is to specifically define the term "vehicle" as used in the state traffic code to include bicycles. Other parts of the Bill make exceptions or modifications where it would be inappropriate to treat bicycles and other vehicles exactly the same.

Present State of Law

At the present time, the Montana Traffic Code expressly excepts bicycles from the definition of "vehicle". Section 61-1-103, M.C.A. Virtually all of the operating requirements contained in the Montana Traffic Code apply only to "vehicles". Thus, on its face, it would appear that the provisions which govern "vehicles" do not apply to bicycles operated on Montana streets and highways. The legislature, apparently to address this exact issue, enacted Section 61-8-602, which states:

"61-8-602. Traffic laws applicable to persons riding bicycles. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this chapter and chapter 9 except as to special regulations in this part and except as to those provisions of this chapter and chapter 9 which by the very nature can have no application."

Unfortunately, the above-quoted language, while it seems straightforward, does not adequately resolve the problem. While it does purport to "grant" bicyclists all of the "rights and duties" of other drivers, this is not the same as subjecting bicyclists to the operating requirements of the Motor Vehicle Code.

Bicyclists find themselves in a unique, undefined area of the law. As it presently stands, it is not at all clear that bicyclists are governed by the vehicle operating requirements that govern "vehicles".

The Problem

While I cannot offer any statistical proof, my personal experience and observation indicates that bicycle use is growing rapidly, especially in urban areas. This has resulted in increased numbers of collisions between bicycles and motor vehicles. One particular case will illustrate the problem.

Last summer, in Missoula, there was a collision between a pickup truck and a bicycle. Fortunately, no one was injured, although the bicycle was damaged extensively. The driver of the pickup truck, obviously in a hurry, merely asked the bicyclist if he had "learned anything" and then left the scene without giving his name or other information. The stunned bicyclist found himself sitting on the curb with a badly damaged bike, wondering what to do. Because the exact cause of the accident was unclear (in terms of who was at fault), it was clear that the motorist left the scene without giving the bicycle rider his name, address, or insurance information. Our Office investigated the incident, found the driver of the pickup truck, and issued him a citation for leaving the scene of a property damage accident without giving the required information (Section 61-7-104, M.C.A.). Of course, this statute pertains only to "the driver of any vehicle involved in an accident resulting only in damage to a vehicle . . ." The Defendant appeared, through his lawyer, and asked that the case be dismissed since the term "vehicle" as defined in the Montana Vehicle Code, specifically excludes bicycles. This motion was granted.

The above case is neither unique nor unjustified. There is a general legal axiom that all penal laws (such as traffic laws) must be construed strictly against the state. Thus, if any confusion or ambiguity exists in the law, the person charged with violating the law shall get the benefit of the doubt. Although we do have a law granting bicyclists the "rights and duties" of operators of other vehicles, we also have a law which specifically excepts bicycles from the definition of vehicles. This ambiguity will be construed in favor of the person charged.

In conclusion, I believe that the Montana Traffic Code does not effectively govern the operation of bicycles. A motor vehicle which fails to yield the right of way to a bicycle cannot be charged (at least in Missoula) with any traffic violation. Similarly, a bicyclist is not governed by vehicle operating requirements such as stop signs, traffic lights, as well as accident reporting requirements.

I believe that Senate Bill No. 402 solves the problem describes above. This Bill would definitely include bicyclists within the definition of vehicles and clarify the laws that govern their operation. I believe this Bill deserves your serious consideration and support.

Respectfully submitted,

Sam Warren

Sam Warren
Missoula Deputy City Attorney
201 West Spruce
Missoula, Montana 59802

SW/jd

March 10, 1983

Representative Hubert Abrams, Chairman
Highways and Transportation Committee
Helena, MT 59620

Dear Rep. Abrams,

I am writing you in regard to HB 402 concerning bicycle traffic laws and regulations. I am a bicycling commuter, 64 years of age, who has been touring our great state for many years. In 1965 I cycled with my two sons from Missoula to Glendive and return. In subsequent years I have toured throughout western Montana on week-long tours to Canada, Yellowstone Park and the Big Hole country. I use the bicycle as a vehicle, riding to work and back over nine months of the year. I ride approximately 3000 miles each year and have seen many instances when a clearcut bicycle law would have been very beneficial to both the cyclist and motorist.

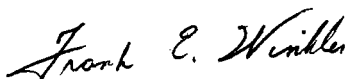
After reviewing the bill I am convinced that passage will benefit both the cyclist and the motorist. I am urging you to give this bill serious consideration and support.

During the energy crisis of a few years back many Montanans started using the bicycle as a vehicle for transportation and now that oil and gas are plentiful they still prefer to ride their bikes. They have discovered that the bicycle is truly a vehicle to get from one place to another.

I believe that passage of this bill will make the law consistent and less confusing and will aid law enforcement officers greatly. I hope you will support this worthwhile legislation and help its passage through the House.

Thanks very much from a concerned cyclist.

Frank E. Winkler



2113 Charlott Ave.
Missoula, MT 59801



The Bicycle Travel Association

P.O. Box 8308, Missoula, MT 59807
(406) 721-1776

Representative Hubert Abrams
Chairman - Highways and Transportation Committee
Capitol Station
Helena, MT 59620

Representative Abrams:

During the past decade the bicycle has become more than a mere toy given to one's child for Christmas or a birthday. It is at once a vehicle for the young (and old), a tool for commuting in the auto-clogged cities, a competitive machine for the bicycle racer, and a means of escape for the touring bicyclist.

It is this latter group, the touring cyclists, whom we serve through Bikecentennial, a service organization for cyclists born nine years ago in Missoula, and now the nation's largest bicycling organization, though certainly not its oldest.

During our nine years we have drawn thousands of cyclists to the state of Montana. They have climbed our tortuous mountain passes, wondered at our national parks, and reveled in pastoral scenery that exists in so few places in our nation today.

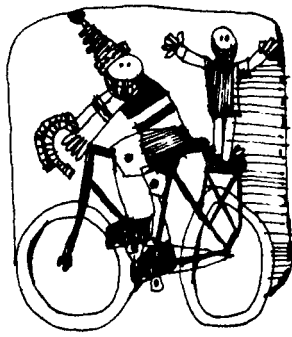
These cyclists are drawn to Montana largely because several arms of Bikecentennial's developing national bicycle trail network link and cross in this state. We seek the lightly-traveled, scenic roadways; the small towns bypassed by the busier highways. It is on these roads that the cyclists are more likely to truly experience our state. They travel unencumbered by heavy traffic, and they bring unquestionable economic benefit to the small towns along the way.

Yet, these two-wheeled travelers are met by an archaic law that strips them of the rights as vehicle drivers that cyclists enjoy in most other states today, while requiring of them the responsibilities of motorized vehicle drivers. This is patently unfair.

As the executive director of Bikecentennial, and on behalf of our 20,000 member cyclists nationwide, I ask you to support passage of House Bill #402, "An Act Defining A Bicycle As A Vehicle..."

Sincerely,

Gary MacFadden
Executive Director



THE MISSOULA BICYCLE CLUB

March 9, 1983

Representative Hubert Abrams, Chairman
Highways & Transportation Committee
Capitol Station
Helena, MT 59620

Dear Representative Abrams:

re: HB 402

I am president of the Missoula Bicycle Club, the largest incorporated bicycling club in Montana with over 300 members. 21% are non-Missoula members living elsewhere in Montana. I am in support of House Bill 402 because of the potential it creates for increased road safety for motorists and bicyclists alike. Current laws regarding bicyclists sharing the road with motorists are confusing and HB 402 would help clarify law enforcement's part in maintaining safety.

The bottom line is bicyclists and motorists obeying traffic laws equally. After all, motorists must stop at stop signs so why continue to let bicyclists coast through?

Sincerely,

Debra Unruh
MBC President

MONTANA VACATION LIBRARY

NATURE / TRAVEL

MONTANA

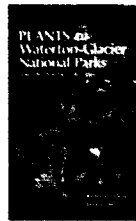


MONTANA Photography by Russell Lamb; Text by Dale A. Burk. This magnificent, large, "coffee table format" volume takes you in stunning, full-color photography and vivid text to the far reaches of Montana's scenic beauty. SP0001 (Stoneydale Press) \$27.50 hard cover

WHERE THE GRIZZLY WALKS by Bill Schneider. The grizzly bear, the largest and most powerful animal in the United States, is a symbol of wilderness, freedom and land untamed. This book discusses the relevant issues to the great bear's survival and a strategy for the silvertip's salvation. MV9 (Mountain Press Publishing Co.) \$8.95 soft cover



PLANTS OF WATERTON-GLACIER NATIONAL PARKS AND THE NORTHERN ROCKIES by Richard Shaw and Danny On. This is a full-color source of information about all those showy plants for visitors to the northern Rocky Mountains. Organized by color; excellent for field identification. MV13 (Mountain Press Publishing Co.) \$6.95 soft cover

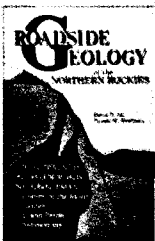


Montana



YOUNG PEOPLE'S GUIDE TO MONTANA by Ruth Burk. Introduces young people to the fascinating story of Montana, exploring in text and photograph how young people can best enjoy their time in the natural splendor of the Big Sky Country. SP0699 (Stoneydale Press) \$3.95 soft cover

YOUNG PEOPLE'S GUIDE TO YELLOWSTONE PARK by Ruth Burk. Presents firsthand a peer's perspective in both text and photograph of how the young person can get the most out of a typical vacation trip to this incredibly varied national park. SP0111 (Stoneydale Press) \$3.95 soft cover



ROADSIDE GEOLOGY OF THE NORTHERN ROCKIES by David Alt and Don Hyndman. This book covers the mountain regions from the Canadian border to southern Idaho, with special chapters on the unique geology of Glacier and Yellowstone national parks. MV11 (Mountain Press Publishing Co.) \$9.95 soft cover

THE TRAVELER'S GUIDE TO MONTANA by Gary Turbak. Montana's most comprehensive campground directory plus information on rodeos, hot springs, resorts, historic sites, museums, local festivals, ski areas, sporting events and more. Available June 1983. (228 pages, 6x9", 60 photos, 17 maps, color cover.) ISBN 0-934318-14-X (Falcon Press) \$7.95 soft cover

GRIZZLIES OF GLACIER by Warren Hanna. The grizzly bear of Glacier Park looms large in popular interest through its prominence in myth and legend, as well as the dramatic episodes of real life. MV10 (Mountain Press Publishing Co.) \$6.95 soft cover

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FISHING / FLOATING

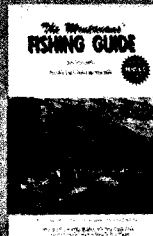


FISHING THE HEADWATERS OF THE MISSOURI by Norman Strung. A personal guide to the greatest trout fishery in the world: Beaverhead, Big Hole, Madison and the other rivers that make up the headwaters of the Missouri. Floating access and distances are given along with maps in this useful guide. MV5 (Mountain Press Publishing Co.) \$6.95 soft cover

MONTANA FISHING by Dale A. Burk. Presents an overview in text and photograph of fishing everywhere in Montana, region by region, for world-famous trout and warm-water species. Special chapters on Yellowstone and Glacier parks and the Madison and Yellowstone rivers. Revised, updated 1983. SP0316 (Stoneydale Press) \$4.95 soft cover



THE MONTANANS' FISHING GUIDE, VOLUME I: WEST OF THE CONTINENTAL DIVIDE by Dale Burk. Revised and updated in 1982 by Dale Burk, the book describes the productive fishing waters of Montana's western drainages and tells how to get there. The Bitterroot, Blackfoot, Clark Fork, Flathead, Kootenai and Swan river drainages are all covered. MV3 (Mountain Press Publishing Co.) \$9.95 soft cover



THE MONTANANS' FISHING GUIDE, VOLUME II: EAST OF THE CONTINENTAL DIVIDE by Dale Burk. Revised and updated in 1982 by Dale Burk, it covers the waters east of the Continental Divide, including such great fishing waters as the Beaverhead, Big Hole, Madison, Jefferson, Gallatin, Yellowstone and Big Horn rivers. MV4 (Mountain Press Publishing Co.) \$9.95 soft cover



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FLOAT FISHING IN MONTANA by Dale A. Burk. Offers practical advice and factual information concerning free-float fishing on Montana's world-famous trout waters: The Madison, Yellowstone, Big Hole, Jefferson, Missouri, Blackfoot, Flathead, Tongue, Clark Fork and others. How-to, where-to and when-to. SP0618 (Stoneydale Press) \$5.95 soft cover



THE ANGLER'S GUIDE TO MONTANA by Mike Sample. This book includes all the necessary information for fishing Montana's lakes and streams, including Yellowstone and Glacier national parks, all in one volume. Available in June 1983. (256 pages, 6x9", 70 photos, 16 maps, color cover.) ISBN 0-934318-13-1 (Falcon Press) \$8.95 soft cover

HIKING / SKIING



THE HIKER'S GUIDE TO MONTANA by Bill Schneider. For the hiker, Montana probably has more to offer than any other state. In this guidebook, 24 veteran Montana hikers offer advice on hiking their favorite trails. (224 pages, 6x9", 41 photos, 70 topographic maps, color cover.) ISBN 0-934318-01-8 (Falcon Press) \$6.95 soft cover

THE NORDIC SKIER'S GUIDE TO MONTANA by Elaine Sedlack. The guidebook includes easy day trips suitable for any skier, even beginners and children, and a few long, overnight trips for experienced skiers interested in winter camping. (176 pages, 6x9", 28 photos, 60 maps, color cover.) ISBN 0-934318-04-2 (Falcon Press) \$6.95 soft cover



A CLIMBER'S GUIDE TO GLACIER NATIONAL PARK by Gordon Edward. An essential aid to mountaineering in Glacier Park, the book describes routes to the summits of major peaks, often with alternate routes of varying difficulty. MV1 (Mountain Press Publishing Co.) \$4.95 soft cover

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HUNTING

DEER HUNTING by Norman Strung. This is a comprehensive guide to deer hunting. It tells you when to use a guide and how to choose one; explains hunting laws, weapons and ammunition (including bow and arrow) and offers advice on what to wear for warmth and comfort. MV8 (Mountain Press Publishing Co.) \$9.95 soft cover



MONTANA HUNTING by Dale A. Burk. Presents an overview in text and photography of big game hunting in Montana, with emphasis on where-to for major species such as elk, mule deer, whitetail deer, antelope, etc. Revised, updated 1983. SP0915 (Stoneydale Press) \$4.95 soft cover

PACKIN' IN ON MULES & HORSES by Smoke Elser and Bill Brown. This illustrated book shows how to pack and care for horses and mules in the wilderness. Smoke's packing system will get you into and out of the backcountry safely and efficiently. MV7 (Mountain Press Publishing Co.) \$9.95



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MONTANA



MONTANA MAGAZINE

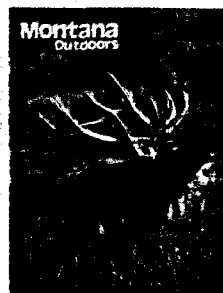
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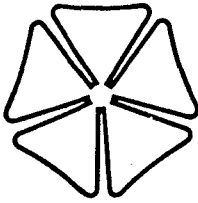
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Missoula, Montana 59802

March 9, 1983

THE GARDEN CITY
HUB OF FIVE VALLEYS

CITY ENGINEERING DEPARTMENT
201 West Spruce Street
Phone 721-4700
E-83-0221

Mr. Hubert J. Abrams
Chairman
Highways & Transportation Committee
House of Representatives
State Capitol
Helena MT 59620

Dear Mr. Abrams:

I am writing in support of SB402, "An Act Defining a Bicycle as a Vehicle; Revising & Clarifying the Bicycle Traffic Laws".

Passage of this bill will assist me in my work training young bicyclists (last spring, for example, my staff gave almost ninety safety sessions to all grades from kindergarten through high school). My work is presently hindered by unclear state traffic laws and unrealistic requirements.


For instance, when I am asked if a bicycle is a vehicle, I have to say "No, but you have to follow the same rules." This seldom satisfies the questioner, particularly a young bicyclist who cannot appreciate the fine point involved.

Further, Section 61-8-338 (2) of SB 402, which would allow bike riders to signal a right turn by extending their right arms horizontally, would be a Godsend. I can tell you that just about every school class I've taught bike safety to has had lots of trouble with the normal signal. If I could simply teach them to "point the way you want to go", it would make things much easier and I believe it would increase compliance.

SB 402 would also legalize the "two-stage left turn" (go straight across, turn your bike, wait and cross again). This type of turn is the one we teach kids to use on busy streets. Present law does not describe any option beyond the vehicle-style turn.

Similarly, SB 402 would give clear instructions to the bicyclists as to when they may move from the right edge of the roadway (eg, when moving at the same speed as traffic or when preparing to make a left turn). Present law says nothing on the subject and seems to embody a conflict between the law requiring a bike rider to make a vehicle-style left turn and the law requiring a bike rider to keep as far to the right as practicable.

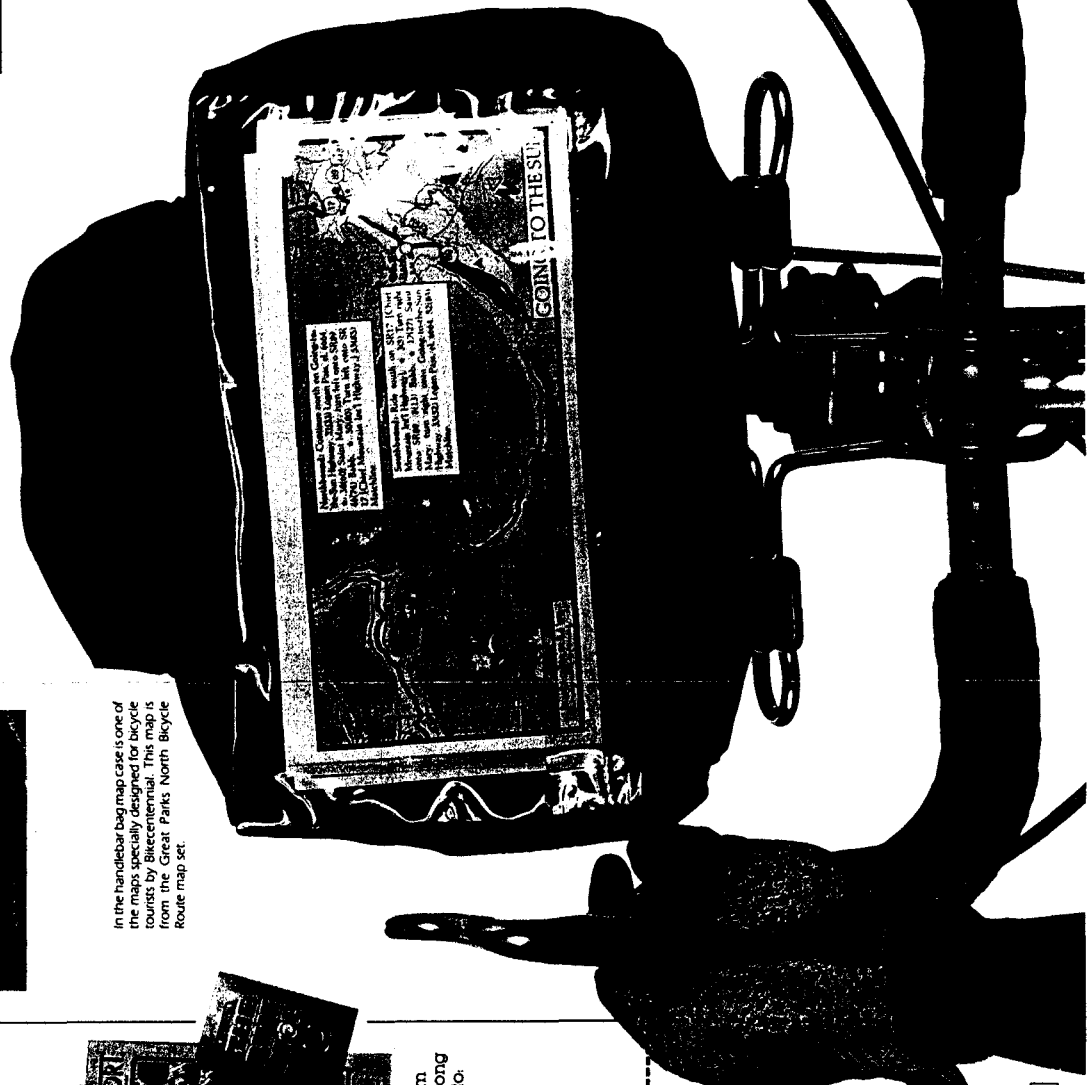
SB 402 will go a long way towards improving bike safety in Montana. I support a "do pass" recommendation for this bill.

Sincerely,  John Williams, Bicycle Safety Coordinator

AN EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER M/F

**BIKE BACK
INTO AMERICA**

The Bicycle Travel Association



In the handlebar bag map case is one of the maps specially designed for bicycle tourists by Bikecentennial. This map is from the Great Parks North Bicycle Route map set.

- We urge you to join thousands of other active touring bicyclists in support of America's largest and fastest growing bicycling organization. Besides strengthening biennial efforts in creating bicycle routes and gathering
- Annually elect a Board of Directors and have input on the future goals and directions of the organization.
- Assure that bicyclists have an **effective voice** in bicycling matters.

- Receive substantial member discounts of up to 40% on Bkcentennial publications and on a wide variety of resource materials stocked in the Bkcentennial Bookstore;

- Receive the 1983 *Cyclists' Yellow Pages*, an indispensable resource guide for use in your bicycle tour planning;
- Receive a **FREE** copy of our new *Bike Stop Book*. Author Sam Braxton describes how to set up the touring bicycle. Covers gearing, wheels, frame geometries, and more!
- Receive a year's subscription to the bimonthly *BikeReport*, the organization's touring journal, keeping you informed about the world of bicycle touring.

Fill out the application form below today and mail it, along with your membership fee, to:

**Bikecentennial
P.O. Box 8308-C
Missoula, MT 59807**

Use This Application To Join Bikecentennial

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ST'S SOURCE

a nonprofit service organization, supported by more than 100,000 members nationwide. Bikescentennial is a nationwide, bike-themed celebration, with events in all 50 states, the District of Columbia, and Puerto Rico. Bikescentennial is a celebration of the bicycle, the bike industry, and the people who make it all possible. Bikescentennial is a celebration of the bicycle, the bike industry, and the people who make it all possible. Bikescentennial is a celebration of the bicycle, the bike industry, and the people who make it all possible.

tion in 1974. We've already linked more than 9,000 miles of quiet, scenic secondary roads across the country into routes for cyclists.

Our developed routes (see map) now include the 4450-mile TransAmerica Bicycle Trail, the Great Parks Bicycle Route in the West, the Great River Bicycle Route, which parallels the Mississippi River from its headwaters in Minnesota to Memphis, Tennessee, and 300-mile loop

Each summer Bikesentennial offers a series of exciting group tours. Our groups consist of eight to ten cyclists (all ages and experience levels) plus a trained leader. The tours range in length from 21 to 90 days. Here's our lineup of tours for 1983.

- **The TransAmerica Trail** (Portland, OR to Yorktown, VA), 4,050 miles, 90 days.
- **The North Star** (Missoula, MT, to Anchorage, AK), 3,020 miles, 68 days.
- **US West** (Portland, OR, to Pueblo, CO), 2,150 miles, 49 days.
- **Great Parks Odyssey** (Durango, CO to Jasper, Alberta), 2,150 miles, 50 days.
- **Great Parks North** (Missoula, MT, to Jasper, Alberta), 790 miles, 21 days.
- **Great Parks South** (Durango, CO, to Steamboat Springs, CO), 670 miles, 20 days.
- **Great River Rambles** (Fargo, ND, to New England), 1,800 miles, 29 days.
- **New England Loop** (Wageningen, Ont. to Whitebury, Ont., VT), 720 miles, 21 days.
- **New England/Adirondacks** (Bar Harbor, ME, to Erie, PA), 930 miles, 23 days.

The complete trips program listing and tour application are featured in the *BikeReport*. Your first issue will be rushed to you upon receipt of your membership application.

Discover America and new friendships on a Bikecentennial tour this summer!

The BikeReport

There's only one national cycling publication totally devoted to the sport of bicycle touring, and only Bikenetennial members receive it. The bimonthly *BikeReport* will keep you up-to-date on the Bikenetennial or gamization and the world of bicycle touring. Feature articles, a bicycle maintenance column, listings of cyclists looking for touring companions, the Bikenetennial Bookstore catalog section, and much more, all packed into six big issues each year. Join *BikeReport* today so you won't miss another issue of the *BikeReport*.

The Bookstore

During the past three years the *Bikcentennial Bookstore* has become the **source** for bicycle touring information. We now offer maps and information for more than 100,000 miles of touring routes from around the world, all collected in one catalog for your convenience. We also stock numerous bicycle maintenance and how-to publications—you can learn how to repair your bicycle or build a bicycle wheel.

The *Bikecentennial Bookstore* has more than 200 titles, and they're all available to members at discounts of up to 40 percent! The *Bikecentennial Bookstore* catalog is delivered to your home six times each year as a section of the organization's bi-monthly touring journal, the *BikeReport*.

Resources For Touring Bicyclists

Cyclists' Yellow Pages

Planning your own bicycle tour? You won't want to be without the *Cyclists' Yellow Pages*, the most complete resource directory of its kind—and available only to Bilecentennial members. With your membership packet we'll send you your **FREE** copy of the completely updated 1983 edition, packed with hundreds of contacts, addresses.

Exciting Summer Bicycle Trips

Bikecentennial began as a trips organization, planning for thousands of cyclists to ride across the country to celebrate our nation's 200th birthday.

More than 4,000 cyclists participated in our 1976 trips program, and we learned a lot about running bicycle tours!

routes in Oregon, Kentucky, and Virginia.

With the kind assistance of The Hurley Foundation, through a challenge grant of \$40,000, Bikenational has embarked on the largest trail development project in bicycling history, the addition of 6,000 miles of touring routes to our network by July 1984 (see the map above for these new routes). Your support will help make this goal of 15,000 miles of researched, mapped routes a reality.

n North America.

to save you time, effort, and start planning your bicycle benefits we already offer to 6 (see back panel).

ists to help new and experienced cyclists around the country at the benefits of this healthy, efficient, pollution-free form of Please join with us in support effort.

Bikecentennial's Trail Network

Bicycle touring gets you out on the road, experiencing the challenges and the freedom of self-propelled travel, discovering more about the land and about yourself. But, with so many roads to choose from, where do you begin?

A national network of researched bicycle routes has been an important goal of Bikecentennial since its incorpora-

See the back page for BiCentennial member benefits

3-10-83

4801 Aspen Lane
Bozeman, MT. 59715
9 March 1983

Honorable Senators
Montana State Senate
Helena, MT. 59601

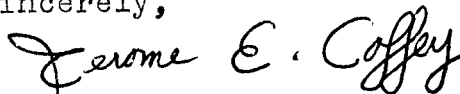
Dear Senators:

I am President of the Gallatin Valley Bicycle Club and am speaking for and representing our membership of 100 individual cyclists. The Gallatin Valley Bicycle Club would like to go on record in support of Senate Bill NO. 402.

We have reviewed the bill carefully and feel that it represents a great improvement over existing law. In most essential details Senate No. 402 follows the Uniform Vehicle Code. It gives the bicycle full vehicle status with all of the rights and responsibilities which that implies. The bill makes reasonable rules concerning riding to the right, signalling, and yielding to pedestrians. In short, the bill acknowledges the bicycle as an rightful part of the transportation mix and defines the rights and duties of the cyclist.

The Gallatin Valley Bicycle Club urges you to pass Senate Bill No. 402. Thank you for considering our position and including it in the record.

Sincerely,



Dr. Jerome E. Coffey, President
Gallatin Valley Bicycle Club

3-10-83

March 9, 1983

Representative Hubert Abrams, Chairman
House Highways and Transportation Committee
Capitol Station
Helena, MT 59620

Dear Mr. Abrams:

I am writing to express the support of the Billings Bicycle Club for Senate Bill No. 402. Legislation defining the bicycle as a vehicle in the Montana Uniform Vehicle Code is long overdue.

There is an ever increasing number of people in Montana who use the bicycle as a serious means of transportation. It would only seem logical that these people be protected by the same laws which govern automobile drivers.

It is my hope that you will do everything within your power to ensure that this vital piece of legislation leave your committee with a wholehearted 'do pass' recommendation.

Thank-you for your attention in this matter.

Sincerely,

Harold Davis

Harold Davis, President
Billings Bicycle Club
P.O. Box 20043
Billings, MT 59104

SB-454

AYE

Dave Brown

Chair vote me as
sees fit on any
amendments
3/24/83

EXCUSE

DATE 3-25-83

REPRESENTATIVE Brown

IS EXCUSED FROM COMMITTEE HEARING.

Hugh Abrams
REP. HUGH ABRAMS, CHAIRMAN
HIGHWAYS AND TRANSPORTATION COMMITTEE

PROXY VOTE

Date _____

REPRESENTATIVE _____

BILL NO. _____

INSTRUCTIONS _____

SIGNATURE